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November 30, 2022

BY ECF

Hon. Katharine S. Hayden, U.S.D.J.
United States District Court
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07101

Hon. Cathy L. Waldor, U.S.M.J.
United States District Court
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07101

Re: *Interfor, Inc. v. NXIVM Corp.*,
Civil Action No. 06-cv-1051 (KSH/CLW)

Dear Judges Hayden and Waldor:

This firm represents crossclaim plaintiff Interfor, Inc. ("Interfor") in the above-referenced matter. Further to the Court's Order for the Turnover of Funds [Dkt. No. 899] (the "Turnover Order"), on November 8, 2022, we filed a certificate of service indicating that the Turnover Order had been served on crossclaim defendant NXIVM Corporation ("NXIVM") by regular mail (a) at its last known business address, and (b) to the entity then believed to be NXIVM's registered agent, Business Filings Incorporated ("BizFilings"). [Dkt. No. 900.]

We write to inform the Court that, on November 28, 2022, we received from BizFilings a notice that it was no longer NXIVM's registered agent and therefore could not forward the Turnover Order to NXIVM. Upon further investigation, we have learned that on August 3, 2022, BizFilings filed with the Delaware Secretary of State, Division of Corporations, a Certificate of Resignation of Registered Agent Without Appointment of a Successor Registered Agent" (attached hereto), and that no registered agent has subsequently been appointed for NXIVM.

For the avoidance of doubt, we note that the Turnover Order was served on NXIVM itself at its last known business address [Dkt. No. 900], and that notice of execution of the Writ of Execution and notice of the levy of the funds in question were each served on NXIVM through BizFilings in November 2021 and February 2022, respectively. [Dkt. Nos.

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897-6 and 897-7.] In each case, this was before the time that BizFilings had apparently resigned as NXIVM's registered agent.

Respectfully submitted,



Andrew M. Englander

cc: All counsel of record (via ECF).